

FILED 10 JAN 21 14:08 USC-ORP

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

JOEL M. R. WARNER,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant

Civil No. 09-CV-570-HA

ORDER FOR REMAND

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Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's application for disability benefits under Title II of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the ALJ will further evaluate and consider opinions regarding the severity of Plaintiff's diagnosed mental impairment, and clarify Plaintiff's residual functional capacity. If warranted, the ALJ will obtain supplemental evidence from a vocational expert. The ALJ and Plaintiff may also

raise and pursue additional issues, including any discussed in Plaintiff's brief. Plaintiff will be entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412(d), upon proper request to this Court.

DATED this 21 day of January 2010.

  
UNITED STATES DISTRICT JUDGE

Presented by:

s/ Stephanie R. Martz  
Stephanie R. Martz  
Special Assistant United States Attorney  
of Attorneys for Defendant  
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